

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

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Gordon Casey and Duane Skinner,	:	
individually and on behalf of all others	:	
similarly situated,	:	
	:	Civil No. 12-00820-DNH-DEP
Plaintiffs,	:	
	:	UNOPPOSED MOTION FOR AN
v.	:	EXTENSION OF TIME TO FINALIZE
	:	AND EXECUTE SETTLEMENT
Citibank, N.A., CitiMortgage, Inc., MidFirst	:	AGREEMENT AND FILE MOTION FOR
Bank, N.A. d/b/a Midland Mortgage, and	:	PRELIMINARY APPROVAL
FirstInsure, Inc.,	:	
	:	
Defendants.	:	
-----X	:	

Defendants MidFirst Bank d/b/a Midland Mortgage and Firstinsure, Inc. (the “MidFirst Defendants”) hereby move for a two business day extension of the Court’s Order setting deadlines for the execution of the class action settlement agreement between Plaintiff Casey and the MidFirst Defendants, and the filing of a motion for preliminary approval (the “Settlement Schedule Order”). *See* ECF No. 149. Plaintiff Gordon Casey does not oppose this Motion.

On February 28, 2014, Plaintiff Casey and the MidFirst Defendants filed a Joint Notice of Class-Wide Settlement informing this Court that they had reached a nationwide class settlement of Plaintiff Casey’s claims against the MidFirst Defendants. ECF No. 147. The Joint Notice of Class-Wide Settlement further informed the Court that Plaintiff Casey and the MidFirst Defendants had signed a Settlement Term Sheet and were in the process of preparing a comprehensive settlement agreement and motion for preliminary approval of the settlement and certification of the proposed settlement class. *Id.* Plaintiff Casey and the MidFirst Defendants wrote that they planned to finalize and execute the settlement agreement by April 4, 2014 and

file the motion for preliminary approval of the settlement agreement and certification of the proposed settlement class by that same date. *Id.* On March 3, 2014, the Court entered the Settlement Scheduling Order, which adopted the schedule set forth in the Joint Notice of Class-Wide Settlement. ECF No. 149. On March 28, 2014 (ECF No. 159), the Parties requested additional time in which to execute and finalize the settlement agreement, which the Court granted on March 31, 2014, extending the time to finalize the settlement agreement to April 15, 2014 and to move for preliminary approval to April 18, 2014. ECF No. 160. On April 14, 2014, the MidFirst Defendants requested until April 28, 2014 to execute the settlement agreement and May 1, 2014 to file it with the Court, which the Court granted on April 16, 2014. ECF No. 165.

Since that time, the Parties have continued to work diligently to finalize a comprehensive settlement agreement and motion for preliminary approval of the settlement agreement and certification of the proposed settlement class. However, the MidFirst Defendants now respectfully request an additional two days in which to finalize the agreement, and a corresponding two business day extension of the deadline for the preliminary approval motion, as follows:

- Settlement agreement shall be finalized and executed by **April 30, 2014**.
- Motion for preliminary approval of the settlement agreement and certification of the proposed settlement class shall be filed by **May 5, 2014**.
- If the motion for preliminary approval is granted, the Court shall set a date and time for the final approval hearing.

The MidFirst Defendants appreciate the Court's patience during this process, which reflects the Parties' good-faith and arms-length negotiation process.

Dated: April 28, 2014

MidFirst Bank and Firstinsure, Inc.

Defendants,

By their attorneys:

/s/ David S. Kantrowitz

John C. Englander (*pro hac vice*)

Matthew G. Lindenbaum (*pro hac vice*)

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